

REMARKS

The Examiner is thanked for the thorough examination of this application and in the indication that claims 2-3 and 7-8 contain allowable subject matter. The Office Action, however, tentatively rejected other claims.

In this Amendment, Applicant has amended claims 1-2 and 6-7, and added claims 11-14. After entry of the foregoing amendments, claims 1-14 are pending in this application, of which 1, 2, 6 and 7 are independent claims. For at least the following reasons, it is submitted that this application is in condition for allowance.

Applicant notes with appreciation that the Examiner has indicated that claims 2-3 and claims 7-8 would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, claims 2 and 7 have been amended into independent form to include all of the features of base claims 1 and 6 respectively from which they directly depend. It is therefore respectfully submitted that the independent claims 2 and 7 are now in condition for allowance. Further, claims 3, 8 and 11-14 are allowable since they respectively depend from claims 2 and 7, as well as for the additional features recited therein.

Claims 1, 4-6, and 9-10 were tentatively rejected under 35 U.S.C. § 102(e) as allegedly anticipated by *Tsai et al.* (US Pub. No. 2004/0012971). Although Applicant does not agree with the rejection, claims 1 and 6 have been amended. As amended, these claims clearly define over the cited art (as well as their dependent claims 4-5 and 9-10).

It is well settled that a reference may anticipate a claim within the purview of 35 USC §102 only if all the features and all the relationships recited in the claim are taught by the reference either by clear disclosure or under the principle of inherency. Applicant's amended

AMENDMENT

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independent claim 1 recites a backlight module applied in a liquid crystal display with a first panel and a second panel. The second panel is disposed opposite to the first panel and the backlight module is disposed between the first panel and the second panel. The backlight module includes a first light source and a second light source, and a lamp-holding member. The lamp-holding member is disposed between the first light source and the second light source, including a first side clipping part, a second side clipping part, and a vertical supporting part. The first side clipping part and a second side clipping part hold the first light source and the second light source respectively so that the first light source and the second light source are spaced with a distance. The vertical supporting part is positioned between the first side clipping part and the second side clipping part and **extends upward and downward for spacing** the first panel and the second panel.

In contrast, *Tsai et al.* discloses an illuminating device 100 including a housing, a reflector 140, a diffusion plate 142, tube-like lamps 110, and supporting devices 150, 160. The supporting device 150/160 has two hooked portions 162 for supporting the tube-like lamps 110 and lock means 164 for mounting the supporting devices 150, 160. (paragraph 0023-0024; FIG. 1; and FIG. 2a)

Significantly, *Tsai et al.* fails to disclose (or even to suggest) that the vertical supporting part extends upward and downward for spacing the first panel and the second panel, as recited in claim 1. Instead, the lock means 164 *Tsai et al.*, relied upon by the Office Action as allegedly the vertical supporting part, is configured to mount and lock the supporting device 150/160 onto the reflection plate 140 by wedging. (*see e.g.*, paragraph 0024; FIG. 1) In particular, as revealed in FIG. 2a, the lock means 164 extends opposite to the hooked portions 162. This contrasts with

the claimed invention in which the vertical supporting part is positioned right between the first side clipping part and the second side clipping part. As such, it is submitted that Applicant's independent claim 1, as well as the claims 4-5 dependent therefrom, are not anticipated by (or rendered obvious by) the cited reference.

Further, Applicant's amended independent claim 6 is deemed to be patentable over *Tsai et al.* for reasons similar to those advanced above as to the patentability of claim 1. Moreover, claims 9-10 dependent from claim 6 also are patentable over *Tsai et al.* As such, it is submitted that Applicant's independent claim 6, as well as the claims 9-10 dependent therefrom, are not anticipated by (or rendered obvious by) the cited reference. For at least the foregoing reasons, the outstanding rejections should be withdrawn, leaving all claims in condition for allowance.

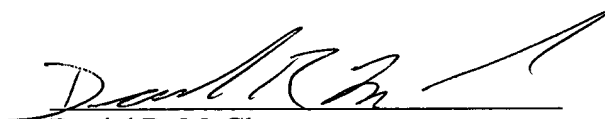
CONCLUSION

In view of the foregoing, it is believed that all pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read 'Daniel R. McClure', is written over a horizontal line.

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